

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re the Patent Application of:****Lee****Serial No.: 09,836,995****Filed: April 18, 2001****Title: Fireplace Grate**

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: **Group Art Unit: 3743**  
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: **Examiner: J Cocks**  
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: **Date: October 23, 2002**  
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**AMENDMENT AND RESPONSE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment and Request for Reconsideration is submitted in response to an outstanding Office Action dated **July 30, 2002**, the shortened statutory period for response set to expire on **October 30, 2002**. No extension of time or fee is believed due for this response. However, if the Commissioner determines that a fee or an extension of time is required, the applicant hereby petitions for the required extension of time and authorizes the Commissioner to charge deposit account 13-4500, order 0506-4021 for the required fee.

Please amend the application as follows:

**IN THE SPECIFICATION**

At page 5, line, 23, please substitute the following paragraph:

al Referring first to FIG. 1, a fireplace grate 100 comprises a frame 102 including a base 110 and an upper cage member 160. The base 110 and upper cage member 160 define a cavity or compartment 150 for holding a firelog or starter material 10. The compartment 150 isolates the firelog or starter material from wood or ceramic logs 20 placed on top of the frame 102, preventing the firelog or starter material from being crushed or smothered by the wood or ceramic logs. The firelog may include, for example, a starter brick or gel log. In another

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